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Committee on Relations with the Host Country

Letter dated 15 June 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Chairman of the Committee

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement (NAM), and on behalf of the 118 members of the Movement, I have the honour to address you in your capacity as Chairman of the Committee on Relations with the Host Country.

I would like to convey the deep concern of the members of the Movement regarding travel restrictions imposed by the host country on the staff of certain permanent missions of the United Nations and officials of certain nationalities, including from countries members of NAM. Such restrictions impede the participation of those missions in United Nations-related multilateral events, even those organized by other permanent missions to debate NAM agenda items when such events are held beyond a 25-mile radius of Columbus Circle in New York City, a limit imposed on the general rule on the free movement of diplomats.

The practice of denying requests to travel beyond that limit to diplomatic officials of some permanent missions to the United Nations, including of some NAM members, is arbitrary and unfair, and places the diplomats of such missions at a disadvantage with respect to attending events, seminars and symposiums that are directly related to the activities of the United Nations, and to negotiation, reflection and document adoption processes.

The Movement considers that the restrictions imposed on the staff of certain missions and officials of certain nationalities by the competent authorities of the host country violate the Headquarters Agreement between the United Nations and the host country, as well as the provisions of the international legal instruments on diplomatic prerogatives and immunities to which the United States is a State party. Likewise, they are contrary to the letter and spirit of the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character and to the international rules recognized by customary law.

Moreover, the limitations and restrictions of movement beyond the 25-mile radius, which are imposed arbitrarily and for political reasons by the host country, are clearly contrary to the provisions of the relevant resolutions of the General Assembly.

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These limitations and restrictions, which are applied in a discriminatory and selective way, interfere with the proper functioning of those permanent missions and hinder their regular work.

The Non-Aligned Movement urges the authorities of the host country to take the necessary steps to meet the international obligations agreed to by its Government and the recommendations and decisions of the General Assembly.

On behalf of the members of the Non-Aligned Movement, I kindly request you to continue consideration of this important issue in the framework of the Committee on Relations with the Host Country, with a view to taking appropriate measures to discontinue without delay this unacceptable practice and to guarantee that all diplomatic agents may fully enjoy the system of privileges and immunities, as well as the overall facilities, recognized by the international legal instruments provided for this kind of personnel.

I should be grateful if the present letter could be brought to the attention of the members of the Committee on Relations with the Host Country, and kindly request that it be circulated as a document of the Committee.

Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative of Cuba to the United Nations
Chair of the Coordinating Bureau of the Non-Aligned Movement